

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH CAROLINA

IN RE:

Lavona Charlene Mitchell

DEBTOR.

CASE NO: 21-

01020-dd

Chapter 7

ORDER AVOIDING JUDICIAL LIEN (11 U.S.C. Section 522(f)(1)(A))

Before the court is the motion of the debtor to avoid the judicial lien held by the following creditor:

Name of creditor and description of property securing lien	Estimated Judicial Lien	Total of All Senior/Unavoidable Liens	Applicable Exemption and Code Section	Value of Debtor's Interest in Property	Judicial lien <u>Not</u> avoided	Judicial lien avoided
<u>Republic Finance</u> <u>(Judicial lien on</u> <u>house and lot</u> <u>located at 1908</u> <u>Alton St.</u> <u>Charleston, SC</u> <u>29406. Judgment</u> <u>Lien dated</u> <u>6/25/2018)</u>	<u>\$2,518.19</u>	<u>\$0.00</u>	<u>\$56,925.00/SC</u> <u>Code Ann §15-</u> <u>41-30(A)(1)(a)</u>	<u>\$40,000.00</u>	<u>\$0.00</u>	<u>\$2,518.19</u>
<u>OneMain Financial</u> <u>(Judicial lien on</u> <u>house and lot</u> <u>located at 1908</u> <u>Alton St.</u> <u>Charleston, SC</u> <u>29406. Judgment</u> <u>Lien dated</u> <u>6/2/2020)</u>	<u>\$8,612.22</u>	<u>\$0.00</u>	<u>\$56,925.00/SC</u> <u>Code Ann §15-</u> <u>41-30(A)(1)(a)</u>	<u>\$40,000.00</u>	<u>\$0.00</u>	<u>\$8,612.22</u>
<u>Midland Credit</u> <u>Management</u> <u>(Judicial lien on</u> <u>house and lot</u> <u>located at 1908</u> <u>Alton St.</u> <u>Charleston, SC</u> <u>29406. Judgment</u> <u>Lien dated</u> <u>9/3/2020)</u>	<u>\$4,956.21</u>	<u>\$0.00</u>	<u>\$56,925.00/SC</u> <u>Code Ann §15-</u> <u>41-30(A)(1)(a)</u>	<u>\$40,000.00</u>	<u>\$0.00</u>	<u>\$4,956.21</u>
<u>LVNV Funding,</u> <u>LLC (Judicial lien</u> <u>on house and lot</u> <u>located at 1908</u> <u>Alton St.</u> <u>Charleston, SC</u> <u>29406. Judgment</u> <u>Lien dated</u> <u>1/21/2021)</u>	<u>\$3,095.95</u>	<u>\$0.00</u>	<u>\$56,925.00/SC</u> <u>Code Ann §15-</u> <u>41-30(A)(1)(a)</u>	<u>\$40,000.00</u>	<u>\$0.00</u>	<u>\$3,095.95</u>

The court finds that, the judicial lien of the above-named creditor impairs the exemptions to which the debtor would otherwise be entitled under 11 U.S.C. Section 522(b) and Chapter 41 of Title 15, Code of Laws of South Carolina, 1976 (as amended), the judicial lien should be avoided pursuant to 11 U.S.C. Section 522(f)(1)(A) in the amount set forth above.

Therefore, IT IS ORDERED, ADJUDGED AND DECREED that the judicial lien held by the above-named creditor be, and hereby is, avoided in the amount set forth above. Any judicial lien set forth above which is avoided in full may be canceled of record at any time after thirty (30) days after a discharge in this case is granted.

FILED BY THE COURT

05/17/2021



Entered: 05/17/2021

David R. Duncan
US Bankruptcy Judge
District of South Carolina